

REMARKS

Reconsideration of this application in light of the above amendments is courteously solicited.

Independent claim 5 has been drafted so as to comply with all the formal requirements of 35 U.S.C. 112, second paragraph.

New independent claim 5 corresponds to the claim allowed in the corresponding European case which has been allowed by the European Patent Office over the same prior art cited by the Examiner in the instant application. Claim 5 sets forth with specificity the improvement of the present invention over the cited prior art. None of the prior art references teach, disclose, suggest or render obvious the claimed subject matter of independent claim 5. Claim 5 is a Jepson claim with sets forth with specificity the improvement of the device of the present invention over the cited prior art documents. The prior art cited in the corresponding PCT application and applied by the Examiner in his office action of December 4, 2001 fails to show the details of the device of the present invention as set forth in the "improvement" portion of the new independent claim 5. Accordingly, it is submitted that claim 5 patentably defines over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

on March 4, 2002  
(Date of Deposit)  
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Respectfully submitted,

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